

33. (Amended) A substantially homogeneous recombinant human parathyroid hormone (hPTH (1-84)) [as a substantially homogeneous] protein, prepared by a process comprising the steps of:

- (a) providing a microorganism containing exogenous DNA encoding hPTH (1-84);
- (b) culturing said microorganism to allow expression of said exogenous DNA, thereby producing hPTH (1-84); and
- (c) purifying said hPTH (1-84) as a substantially homogeneous protein.

**REMARKS**

Applicants respectfully request reconsideration and reexamination of this application.

**I. STATUS OF THE CLAIMS**

Claims 6-10, 12, 14, and 16-20 have been cancelled, without prejudice or disclaimer thereof. These claims have been cancelled in response to the Examiner's restriction requirement. Applicants reserve the right to prosecute the subject matter of these claims in this or another application.

In addition, claims 31-33 have been amended to more clearly recite Applicants' invention. The amendments to the claims include reciting "human parathyroid hormone," rather than merely "hPTH," and other grammatical amendments.

Finally, the title of the invention has been amended to recite "RECOMBINANT HUMAN PARATHYROID HORMONE."

It is acknowledged that the amendments to the claims and title are made after final rejection. However, the amendments do not raise new issues for examination, they do not introduce new matter, they are essentially grammatical in nature, and they place the claims in better condition for allowance or appeal. For these reasons, entry thereof by the Examiner is respectfully requested.

**II. CONCLUSION**

Applicants respectfully request reconsideration and reexamination of the present application in view of the above amendments. This application is now in condition for allowance and early notice to that effect is respectfully solicited.

PATENT  
ATTORNEY DOCKET NO.: 016777-0311  
APPLN. NO.: 08/340,664

Should the Examiner have any questions or comments regarding the pending application or this Amendment, the Examiner is requested to call the undersigned at 202-672-5538.

If there are any fees due in connection with the filing of this Preliminary Amendment, please charge the fees to our Deposit Account No. 19-0741. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

  
Michele M. Schafer  
Reg. No. 34,717

Dated: May 26, 1999

**Foley & Lardner**  
**Washington Harbour**  
**3000 K Street, N.W.**  
**Washington, D.C. 20007**  
**Phone: (202) 672-5538**  
**Fax: (202) 672-5399**